

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANA LYNNE SMOLARZ,

Plaintiff,

Case No. 2:18-cv-11340

Magistrate Judge Anthony P. Patti

v.

NANCY A. BERRYHILL,

Defendant.

**OPINION AND ORDER DENYING PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT (DE 23), GRANTING DEFENDANT'S MOTION
FOR SUMMARY JUDGMENT (DE 24) and AFFIRMING THE DECISION
OF THE COMMISSIONER OF SOCIAL SECURITY**

Plaintiff, Dana Lynne Smolarz, brings this action under 42 U.S.C. § 405(g) for review of a final decision of the Commissioner of Social Security ("Commissioner") denying her applications for disability insurance and supplemental security income benefits. (DE 1.) Currently before the Court is Plaintiff's motion for summary judgment (DE 23), the Commissioner's cross-motion for summary judgment (DE 24), Plaintiff's reply (DE 25), the Commissioner's notice of supplemental authority (DE 28), and the administrative record (DE 20).

The parties have consented to my authority. (DE 18.) A hearing was noticed initially for May 15, 2019, and then re-noticed for May 21, 2019. (DEs 26,

29, 31) On that date, Plaintiff's counsel (attorney Edward A. Wicklund) and counsel for the Commissioner (AUSA Lisa G. Smoller) both appeared by telephone.

For the reasons stated on the record, Plaintiff's motion (DE 23) is **DENIED**, Defendant's motion (DE 24) is **GRANTED**, and the decision of the Commissioner of Social Security is **AFFIRMED**.

IT IS SO ORDERED.

Dated: May 21, 2019

s/*Anthony P. Patti*

Anthony P. Patti

UNITED STATES MAGISTRATE JUDGE

Certificate of Service

I hereby certify that a copy of the foregoing document was sent to parties of record on May 21, 2019, electronically and/or by U.S. Mail.

s/Michael Williams

Case Manager for the

Honorable Anthony P. Patti